

REMARKS

The Office Action and cited references have been reviewed. Claims 1-22 are rejected and remain pending. Claims 1, 7, 15 and 22 have been amended. Support for the amendments is found generally within the application and specifically in Figs. 1 and 2. No claims have been cancelled and no new claims have been added. Consideration of the pending claims is respectfully requested.

Rejection under 35 U.S.C. §103

The Office Action has rejected claims 1-5, 7-12, 15-20 and 22 under 35 U.S.C. §103(a) as being unpatentable over the Suntec Model PRV-38 literature (hereinafter “Suntec”) in view of U.S. Pat. App. No. 2,932,400 to Scavuzzo (hereinafter “Scavuzzo”). Each of claims 1, 7, 15 and 22 have been amended to more clearly define the invention and present the claims in better form for consideration. Reconsideration of the rejection in view of the amendments, as explained below, is requested.

As stated in MPEP §2142, to establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. It is respectfully submitted that the combination of Suntec with Scavuzzo fails to teach or suggest each and every limitation required by claims 1, 7, 15 and 22 and, therefore, cannot render these claims obvious and unpatentable as explained below.

As amended, claim 1 recites, *inter alia*, “the filter mounting stub including threading to which the filter is directly threadingly mated in a filter mounted position” and that “the inlet port is in fluid communication with the filter head exit port such that fluid can flow from the inlet port to the filter head exit port when the filter is not mounted on the filter mounting stub.” Each of these limitations are discussed below in light of the cited references.

In light of the claim amendment, what Applicant sees as the superficial rejection based up a removal of the sleeve in Scavuzzo to meet the fluid communication limitation (added in the last amendment) can no longer stand. Specifically, the mounting stub is now defined as that structure which includes the threading which directly mates with the filter (e.g. a spin on filter canister). Accordingly, the sleeve of Scavuzzo would have to be considered to be part the filter mounting stub in order to maintain the reasoning that was advanced in the last Office Action. Accordingly, the sleeve can no longer be removed in order to superficially meet the limitation that was previously added in that the inlet port is in fluid communication with the filter head exit port such that fluid can flow from the inlet port

to the filter head exit port when the filter is not mounted on the filter mounting stub. Accordingly, when the references are combined, they fail to meet each and every limitation as now claimed and set forth in independent claim 1. Similar amendments have been put forth to the other independent claims. Therefore, those claims are also patentable over the prior art for similar reasons as to claim 1 and the other independent claims¹. Additionally, Applicant will point out the following limitations in the dependent claims which are not further met by the combination of the asserted references:

1. Further, claim 22, which is relatively narrow in scope and which claims a lot of structure has also further been amended to recite that the filter mounting stub is a one-piece unitary component. Keeping in mind that it is the mounting stub which defines the threading and all of the other structure, including the relative ports, it is further clear that Scavuzzo which requires multiple component parts in order to mount a canister including the sleeve noted by the Examiner can no longer stand.
2. In addition to the above, claim 6 recites, *inter alia*, “an outlet vacuum gauge port defined in the body fluidically between the valve closure element and the outlet port.” The port 96 is depicted in Fig. 1 of the present application. However, such a port is not taught or suggested by either Suntec or Scavuzzo. In fact, the existence of such a port in either reference cannot be found. Therefore, the cited references cannot render claim 6 obvious and unpatentable and the rejection of the claim should be withdrawn.

The Examiner’s attention is respectfully directed toward these above additional claim limitations and as further distinguishing the art. If the Examiner disagrees, he is respectfully requested to specifically detail the reasoning for each of the above limitations. The Applicants also submit that each of the dependent claims are also patentable for at least the same reason as the independent claims.

The Office Action has also rejected claims 6, 13-14, and 21 under 35 U.S.C. §103(a) as being unpatentable over the Suntec in view of U.S. Patent Application No. 6,471,853 to Moscaritolo (hereinafter “Moscaritolo”). The rejection of these claims is discussed below.

¹ Similar to claim 1, each of independent claims 7 and 15 have also been amended to recite that the filter mounting stub includes threading to which the filter is directly threadingly mated in a filter mounted position and that the inlet port is in fluid communication with the filter head exit port such that fluid can flow from the inlet port to the filter head exit port when the filter is not mounted on the filter mounting stub. Therefore, for the same reasons as stated above for claim 1, each of the independent claims 7 and 15 are believed to be patentable. It is respectfully requested that the rejection of claims 7 and 15 be withdrawn.

In re Appln. Of: Michael E. Buhl, et al.
Application No.: 10/636,117

In light of the amendments to each of claims 1, 7, and 15 as noted above, from which claims 6, 13-14, and 21 variously depend, it is respectfully submitted that this rejection is now moot and should be withdrawn. The other dependent claims are also patentable for at least the same reason as the independent claims.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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